

EFFECTIVE

May 1, 2018.

Subject(s)**APL-68E-130, BREACH, SECURITY INCIDENT OR
IMPERMISSIBLE USE OR DISCLOSURE****Michigan Department of Health and Human Services (MDHHS)
Compliance Office**

The compliance office will investigate and review the DCH-1422, HIPAA/Data Incident Report, form and other related documentation. The compliance office will conduct an investigation and complete a risk assessment to determine risk of harm under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Michigan Identity Theft Protection Act.

Under HIPAA the risk of harm is determined consistent with the Privacy Rule.

Breach notification will be provided under HIPAA without unreasonable delay and within 60 days of the discovery of the incident to the affected individual(s) if there is a greater than low risk of harm. MDHHS's breach notification obligations, including reporting to the federal HHS Secretary, will be consistent with HIPAA Privacy Rule.

Breach notification will be provided to the affected individual(s) under the Michigan Identity Theft Protection Act consistent with the terms of the act.

**MANUAL
MAINTENANCE
INSTRUCTIONS**

Changed Items ...

[APL 68E-130](#)